

DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548

26197

FILE: B-212713

DATE: September 12, 1983

MATTER OF: Indus Group

DIGEST:

A bidder's failure to insert a maximum price for a line item required by the solicitation is a material deviation that renders the bid nonresponsive.

Indus Group protests the rejection of its bid as nonresponsive under invitation for bids (IFB) No. F33601-83-B-0027 issued by the Department of the Air Force. We summarily deny the protest.

The subject solicitation required all bidders to insert a price for Line Item 0001 representing the maximum amount to be paid to the contractor under the proposed contract for a 2-month orientation period. Under Item 0001 the contractor would be paid for the actual hours worked by various categories of labor up to the maximum amount bid. Indus inserted no figure for this item, and the contracting officer rejected the firm's bid as nonresponsive. Indus urges that its failure to provide a price for Item 0001 was a minor informality or irregularity, and contends that the Air Force could have determined an amount for Item 0001 by using the hourly rates that the firm had provided in another portion of the bid. We see no merit to the argument.

We have consistently held that in order to be responsive, a bid must contain an unequivocal offer to provide the requested items in total conformance with the material terms of the solicitation, and any bid which deviates from those terms is nonresponsive and must be rejected. A material deviation is one which affects the price, quality, or quantity of the goods or services offered. Fluke Trendar Corporation, B-196071, March 13, 1980, 80-1 CPD 196. Item 0001 clearly affected price because it limits the amount the Government is obligated to pay for contractor orientation. The bid was therefore properly rejected as nonresponsive.

The protest is summarily denied.

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Milton J. Fowler
for
Comptroller General
of the United States